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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/599,180	06/22/2000	James Arthur Brewer	AUS000213US1	8202

39698 7590 11/12/2004

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EXAMINER
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TRAN, PHILIP B

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 11/12/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

14

**Supplemental  
Notice of Allowability**

Application No.

09/599,180

Examiner

Philip B Tran

Applicant(s)

BREWER ET AL.

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/1/2004.
2. ☒ The allowed claim(s) is/are 1-4, 7-14 and 17-20.
3. ☒ The drawings filed on 14 November 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**HOSAIN ALAM**

**SENIOR PATENT EXAMINER**

## DETAILED ACTION

### *Examiner's Amendment*

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Tkacs (Reg. No. 46,430), the undersigned on November 10, 2004.

The application has been amended as follows :

#### IN THE CLAIMS :

Replace claim 1 as follows :

-- 1. A method in a network computer for diagnosing a problem, the method comprising the steps of:

running diagnostic testing programs on a diagnostic adapter card coupled to the network computer;

reporting the results from running the diagnostic testing programs; and

analyzing the results from running the diagnostic testing programs to determine a cause of the problem, wherein analyzing the results from running the diagnostic testing programs includes one of detecting an absence of a response from a component, detecting a discrepancy between an expected response and an actual response, recognizing errors in signal timing, detecting a nonfunctioning component, detecting an intermittently failing component, and detecting a faulty software program.--

Replace claim 7 as follows :

-- 7. An apparatus in a network computer for diagnosing a problem, the apparatus comprising:

a processing means for executing diagnostic testing programs on the diagnostic adapter card;

a reporting means for reporting results from executing the diagnostic testing programs;

an analyzing means for analyzing the results from executing the diagnostic testing programs to determine a cause of the problem, wherein analyzing the results from running the diagnostic testing programs includes one of detecting an absence of a response from a component, detecting a discrepancy between an expected response and an actual response, recognizing errors in signal timing, detecting a nonfunctioning component, detecting an intermittently failing component, and detecting a faulty software program. --

Replace claim 17 as follows :

-- 17. A computer program product for diagnosing a problem, the computer program product comprising:

instructions for diagnostic testing programs on a diagnostic adapter card;

instructions for reporting results from executing the diagnostic testing programs;

instructions for analyzing the results from executing the diagnostic testing programs to determine a cause of the problem, wherein analyzing the results from

running the diagnostic testing programs includes one of detecting an absence of a response from a component, detecting a discrepancy between an expected response and an actual response, recognizing errors in signal timing, detecting a nonfunctioning component, detecting an intermittently failing component, and detecting a faulty software program. --

***Reason for Allowance***

3. Claims 1-4, 7-14, and 17-20 are allowed.
4. The following is an examiner's statements of reason for allowance :

The above mentioned claims are allowable over the prior art of record does not appear to teach or render obvious the claimed limitations in combination with the specific added limitations as recited in independent claims and subsequent dependent claims. The prior art of record fails to teach or suggest method and system of running diagnostic testing programs on a diagnostic adapter card by not just monitoring and reporting any error and fault conditions but also analyzing the results from running the diagnostic testing programs to determine a cause of the problem wherein analyzing the results from running the diagnostic testing programs includes one of detecting an absence of a response from a component, detecting a discrepancy between an expected response and an actual response, recognizing errors in signal timing, detecting a nonfunctioning component, detecting an intermittently failing component, and detecting a faulty software program as argued by applicants [see Appeal Brief - Paper No. 12 dated 07/15/2004].

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee.

6. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 305-3900.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip B. Tran whose telephone number is (703) 308-8767.

*Philip Tran*  
Philip B. Tran  
Art Unit 2155  
Nov 10, 2004

*Hosain Alam*  
HOSAIN ALAM  
SENIOR PATENT EXAMINER